

## REMARKS

Claims 16, 20-26 and 31 are pending in this application and are presented for reconsideration.

Claim 16 has been amended in accord with the current rules in which underlining shows additions and strikethrough shows deletions. No new matter has been added.

Claims 16, 20-26 and 31 are rejected under 35 U.S.C. § 112, first paragraph, as failing to meet the written description requirement. The examiner asserts that there is no disclosure of “translucent container” or its use. However, As the CAFC pointed out in *In re Alton*, 37 USPQ 2d 1578 (1996)

If a person of ordinary skill in the art would have understood the inventor to have been in possession of the claimed invention at the time of filing, even if every nuance of the claims is not explicitly described in the specification, then the adequate written description requirement is met.

Responsive to the rejection under 35 U.S.C. § 112, first paragraph applicants have amended claim 16 in order to more particularly point out and distinctly claim a preferred aspect of their invention. Thus, applicants replace the term “translucent container” by “a container which has a low absorption in the UV-A range”.

As taught on page 1, paragraphs 2-6,

Although both glass and ordinary plastics have a certain inherent absorption in the UV-B-range, the absorption in the UV-A range is very low.

As a consequence, the products [therein] change in the course of time through photolytic processes.

This results, for example, in a reduction in viscosity and changes in color or smell.

The object of this invention is to provide additives for body-care and household products which prevent [their] photolytic degradation.

Hence there is clear support for claim 16 as presently amended.

Claims 16, 20-26 and 31 are rejected under 35 U.S.C. § 112, second paragraph, as indefinite due to the missing definition of M in  $-\text{SO}_3\text{M}$ . Re

The specification is objected to and claims 1 are rejected under 35 U.S.C. § 112, first paragraph.

Claims are rejected under 35 U.S.C. § 112, second paragraph.

Claims 16, 20-26 and 31 are rejected under 35 U.S.C. § 112, second paragraph, as indefinite due to the missing definition of M in  $-\text{SO}_3\text{M}$ . Responsive to the rejection under 35 U.S.C. § 112, second paragraph applicants have amended claim 16 to recite, "M is an alkali metal cation or ammonium cation". M is defined as an alkali metal cation or ammonium cation on page 30, last line of the disclosure.

It is respectfully submitted that all the claims submitted for reconsideration are in good formal order. Reconsideration and withdrawal of the rejection of claims 16, 20-26 and 31 under 35 U.S.C. § 112, first and second paragraphs is therefore solicited.

Applicants affirm that claim 20 is pending.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 16, 20-26 and 31 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



Ciba Specialty Chemicals Corporation  
540 White Plains Road  
Tarrytown, New York 10591  
(914) 785-7127  
KTM21868A

Kevin T. Mansfield  
Agent for Applicants  
Reg. No. 31,635

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